



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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DIVISION OF REGIONAL OFFICES
SUFFOLK REGIONAL OFFICE

December 12, 2022

Magistrate Judge Steven L. Tiscione
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: Giambalvo v. Suffolk County, et al
Docket No.: 21-CV-00036 (DRH) (SIL)

Dear Magistrate Judge Tiscione,

This office represents Steven Nigrelli, sued in his official capacity as Acting Superintendent of the N.Y. State Police (the “Superintendent”). By this letter, the Superintendent requests an adjournment of the initial conference, currently scheduled for December 19, 2022. Plaintiffs’ attorney has consented to this request. Counsel for the remaining defendants—Suffolk County and its officials—has been contacted but has not responded.

The reason for the request is that most of the named defendants have not even appeared in this case, nor filed answers or other responses to the First Amended Complaint. The Superintendent was only recently served and has sought a pre-motion to dismiss conference on potentially dispositive standing and immunity grounds. *See* ECF No. 25. Moreover, on December 12, 2022, by Order to Show Cause, Plaintiffs filed a motion for a preliminary injunction, *see* ECF No. 27, the resolution of which will likely inform further proceedings.

Based on the above, the undersigned respectfully requests that the initial conference be re-scheduled to a date following resolution of the preliminary injunction motion and the Superintendent’s motion to dismiss. No prior request for an adjournment has been made.

Thank you for your consideration of this application.

Respectfully,

Patricia M. Hingerton
Patricia M. Hingerton
Assistant Attorney General

Cc: Counsel for parties via ECF